

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JASON RICHARD EIDAM #266232,

Plaintiff,

File no: 1:19-CV-978

v.

HON. ROBERT J. JONKER

COUNTY OF BERRIEN, et al. ,

Defendants.

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**ORDER APPROVING MAGISTRATE'S  
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on November 23, 2020 (ECF No. 46). The Report and Recommendation was duly served on the parties.<sup>1</sup> No objections have been filed under 28 U.S.C. § 636(b)(1)(C).

**ACCORDINGLY, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge (ECF No. 46) is approved and adopted as the opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants' Motion to Dismiss (ECF No. 31) is **GRANTED IN PART AND DENIED IN PART**. Plaintiff's claims against Unknown Doctor, Unknown Psychiatrist, and Unknown Medical Provider Company (Wellpath) are **DISMISSED** and these parties are **TERMINATED**. Plaintiff's claims against Unknown Nurse and Defendant Bailey<sup>2</sup> shall proceed.

Date: January 12, 2021

/s/ Robert J. Jonker  
ROBERT J. JONKER  
CHIEF UNITED STATES DISTRICT JUDGE

<sup>1</sup> The Report and Recommendation was originally sent to Plaintiff at his custodial address. Upon notification that Plaintiff had been released from custody (ECF No. 47), the Report and Recommendation was sent to Plaintiff at his new address on November 25, 2020.

<sup>2</sup> The Report and Recommendation addresses the claim against Defendant Bailey at PageID.183. *See also* ECF No. 8 at PageID.38 (allowing claim against Defendant Bailey for denying Plaintiff his prescribed medications to proceed).